

**DEPARTMENT OF ENVIRONMENTAL QUALITY
LAND QUALITY DIVISION**



GUIDELINE NO. 19

Noncoal:

**RECREATIONAL PROSPECTING IN WYOMING
(PANNING, DREDGING AND SLUICING)**

Wyoming Department of Environmental Quality, Land Quality Division
Operational Guideline for Recreational Prospecting in Wyoming
(Panning, Dredging and Sluicing)

GUIDELINE NO. 19

This document has been prepared in response to questions from people who wish to use hand panning or recreational dredging equipment in non-commercial prospecting for gold in Wyoming. The information contained in this guideline also applies to prospecting for any precious metal or gem for non-commercial use by hand panning or recreational dredging. These activities are regulated by the Land Quality Division (LQD) when performed on state and private land. Attachment A lists the LQD office locations and phone numbers.

For activities on federal lands, prospectors should contact the appropriate Federal land management agency (e.g., the Bureau of Land Management (BLM) or the United States Forest Service (USFS)). The LQD does *not* process mining claims or maintain any records related to mining claims. The BLM office in Cheyenne (307) 775-6256 can provide information on whether there are any existing claims on the location of interest and can provide instructions on filing a claim.

The Wyoming Environmental Quality Act allows for an exemption from permitting and bonding requirements for mining operations that involve ***only minor surface disturbances and are infrequent in nature*** (W.S. § 35-11-401 (e)(v)). Therefore, recreational prospecting that follows these operational guidelines does not require authorization from the LQD. However, permission from all surface and mineral owners and land management agencies must be obtained prior to any activity to avoid trespass disagreements. No mechanized or motorized equipment (e.g., backhoe, dozer, excavator, power auger, skid-loader or trencher) or explosives can be used in recreational, non-commercial prospecting activities. Anyone seeking to conduct such activities must obtain authorization for a License to Explore (LE) through the LQD's permitting process (see LQD Guideline 16).

<u>Proposed Prospecting Activity</u>	<u>No LQD Authorization required</u>	<u>License to Explore required</u>
Hand panning	X	
Metal Detecting	X	
Washing or Sluicing (in the stream)	X	
Dredging (≤10hp motor and ≤3" diameter intake)	X	
‡High banking without digging	X	
‡High banking with hand digging	X	
Dozing/excavating (mechanized)		X
Dredging (>10hp motor or >3" diameter intake)		X

‡"High banking" refers to the use of a land-based sluice box or wash box (a "high banker") outside the stream channel. The ore processed in a high banker can be derived from the stream itself or from the land (away from the stream bed). Tailings derived from the stream may be placed directly back in the stream after processing. Tailings derived from processing ore from a land source should be placed back into the pit from which it was excavated.

**Operational Guidelines for Recreational Prospecting in Wyoming
(Panning, Dredging and Sluicing)**

1. Hand panning is the only activity allowed in any Class 1 stream, including the Sweetwater River. Class 1 waters are those surface waters in which no water quality degradation by point source discharges will be allowed. A complete listing of Wyoming Class 1 streams may be found in Attachment B.
2. Operations in Class 2 waters are limited to the period of July 1 to September 10. Class 2 waters are waters, other than those designated as Class 1, that are known to support fish or drinking water supplies or where those uses are attainable. Operation outside these dates may be allowed in small ephemeral drainages which do not support a fishery. Please contact Wyoming Game & Fish for further information (see Attachment C).
3. Any increase in water turbidity caused by the operations must settle or dissipate within fifty (50) feet downstream of the discharge point. If increased turbidity is visible beyond fifty feet, then the operation is in violation of DEQ-WQD water quality standards and must be discontinued.
4. Only hand tools may be used (hand panning or sluicing) or portable suction dredges with a suction hose 3 inches or less in diameter powered by an engine of 10 horsepower or less. No other motorized or mechanized equipment or explosives are allowed. **Permission must be obtained from the appropriate federal land managing agency (BLM or USFS) before using any motorized equipment, including small suction dredges.**
5. Disturbance of stream banks and shoreline vegetation is prohibited. All operations, including hand panning, must be confined to channel bottom gravels. Hand-dug excavations on land must be set back from the stream bank a distance equal to twice the height of the stream bank or three feet; whichever is greater.
6. Dredging in wetlands, beaver ponds, or in silt or clay material is prohibited due to the impact to fisheries and wildlife habitat.
7. No material excavated from outside of a waterway may be placed or discharged into a waterway. Only materials excavated or dredged from the channel bottom may be placed back into the channel. Sluicing or washing of materials originating outside of the specific waterway is prohibited.
8. All fueling and equipment servicing should be done away from streams in order to prevent spills of oil or gas into drainages. Storage areas for equipment and fuel should be as far away from the stream as possible.
9. Prospecting on private lands or on mineral claims requires permission from the landowner or claim owner. In Wyoming the stream channel belongs to the landowner.
10. The Bureau of Land Management and the U.S. Forest Service must be notified before operating on lands managed by those agencies.
11. Prospecting operations are prohibited on Wyoming State Lands unless a mineral lease is obtained.
12. No chemicals, reagents, detergents or mercury shall be used.
13. No damming or diversion of streams is allowed.

14. Fording of Class 1 and 2 streams with vehicles is not allowed.
15. No dredging or sluicing activities are allowed within 500 feet of a developed campground or picnic area.
16. No dredging shall be conducted within 100 feet of a bridge support, gauging station, diversion structure, habitat or stream channel improvement structure.
17. The best areas for locating gold are in gravel deposits, around boulders near the upstream end of pools where the current first starts to slow, in cracks and pockets in exposed bedrock, and around midstream boulders on the inside of a stream bend at or near the head of a gravel bar where the larger materials have accumulated. These are also the areas where dredging will result in the least damage to aquatic life and create the least instability in the stream channel.
18. Excavation and processing of sands and gravels in dry or ephemeral drainages or upland areas must adhere to the following guidelines:
 - a. Only hand tools may be utilized.
 - b. Excavations must be confined to the bottom of the drainage channel or at least a distance away from the stream bank that is twice the height of the stream bank or 3 feet; whichever is greater. Excavation of channel banks or steep slopes (steeper than 3:1 horizontal:vertical) is prohibited.
 - c. Topsoil must be salvaged prior to any excavation and respread over the excavation after it is backfilled.
 - d. Excavations (pits) must not, at any time, exceed one cubic yard (3' X 3' X 3') in volume. Excavations must be backfilled prior to the prospector leaving the site.
 - e. All overburden, ore, processed material, tailings and screening must be backfilled into the excavation.
 - f. Any water sumps or ponds must be backfilled and contoured prior to the prospector leaving the site.
 - g. All trash, refuse and sewage waste materials must be cleaned up and removed from the site when the prospector leaves the site. Disposal shall be at a properly authorized waste disposal facility.

Thank you for your cooperation.

ATTACHMENT A

State of Wyoming Department of Environmental Quality Land Quality Division Districts

LQD Website:

<http://deq.wyoming.gov/lqd/>

DISTRICT 1 - CHEYENNE

122 West 25th Street, 3rd Floor West
Cheyenne, WY 82002

Phone: 307-777-7756

DISTRICT 2 - LANDER

510 Meadowview Drive
Lander, WY 82520

Phone: 307-332-3047

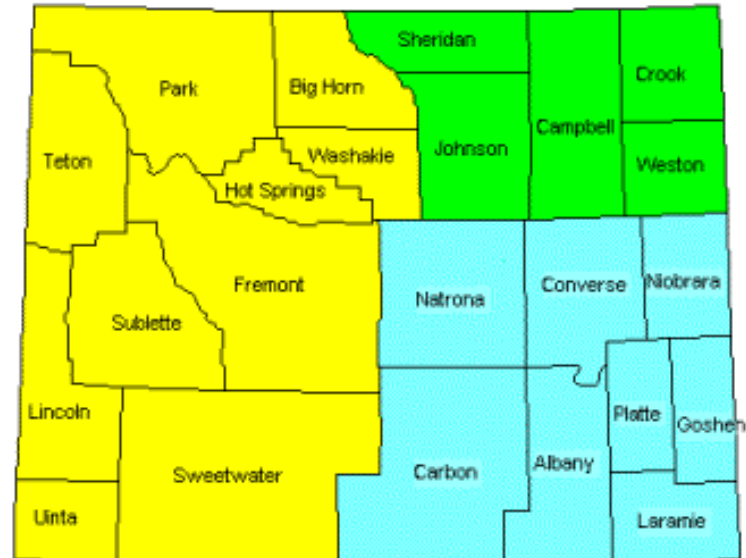
DISTRICT 3 - SHERIDAN

2100 West 5th Street
Sheridan, WY 82801

Phone: 307-673-9337

District 2

District 3



District 1

ATTACHMENT B
Wyoming Class 1 Waters

1. All surface waters located within the boundaries of national parks and congressionally designated wilderness areas as of January 1, 1999;
2. The main stem of the Snake River through its entire length above the U.S. Highway 22 Bridge (Wilson Bridge);
3. The main stem of the Green River, including the Green River Lakes from the mouth of the New Fork River upstream to the wilderness boundary;
4. The Main Stem of the Wind River from the Wedding of the Waters upstream to Boysen Dam;
5. The main stem of the North Platte River from the mouth of Sage Creek (approximately 15 stream miles below Saratoga, Wyoming) upstream to the Colorado state line;
6. The main stem of the North Platte River from the headwaters of Pathfinder Reservoir upstream of Kortess Dam (Miracle Mile segment);
7. The main stem of the North Platte River from the Natrona County Road 309 bridge (Goose Egg bridge) upstream to Alcova Reservoir;
8. The main stem of Sand Creek above the U.S. Highway 14 bridge;
9. The main stem of the Middle Fork of the Powder River through its entire length above the mouth of Buffalo Creek;
10. The main stem of the Tongue River, the main stem of the North Fork of the Tongue River, and the main stem of the South Fork of the Tongue River above U.S. Forest Service boundary;
11. The main stem of the Sweetwater River above the mouth of Alkali Creek;
12. The main stem of the Encampment River from the U.S. Forest Service boundary upstream to the Colorado state line;
13. The main stem of the Clarks Fork River from the U.S. Forest Service boundary upstream to the Montana state line;
14. All waters within the Fish Creek (near Wilson, Wyoming) drainage;
15. The main stem of Granite Creek (tributary of the Hoback River) through its entire length;
16. Fremont Lake; and
17. Wetlands adjacent to Class 1 waters are also treated as Class 1.

